



General Assembly

February Session, 2002

Raised Bill No. 5138

LCO No. 799

Referred to Committee on Select Committee on Housing

Introduced by:
(HSG)

***AN ACT CONFORMING HOUSING AUTHORITY PROCUREMENT
PROCEDURES TO FEDERAL REQUIREMENTS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (c) of section 8-37x of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2002*):

4 (c) Notwithstanding any other provision of the general statutes, the
5 Commissioner of Economic and Community Development may, after
6 conducting a public bidding process as provided in section 8-44, as
7 amended by this act, enter into a master contract or contracts with
8 local, regional or state-wide suppliers of labor, supplies, materials,
9 services or personal property on behalf of one or more housing
10 authorities operating state-financed housing programs or projects.
11 [The commissioner may also approve the use by housing authorities,
12 for state-financed programs or projects, of the federal General Services
13 Administration Standard Purchasing Catalog, and amendments
14 thereto, or of the consolidated supply program of the United States
15 Department of Housing and Urban Development in lieu of purchases
16 under such master contract or contracts.] The commissioner may, in

17 his discretion, with respect to partially completed state-financed
18 programs or projects or in the event of emergencies affecting human
19 health, safety, welfare and life or endangering property, waive the
20 bidding requirement and [fiscal limits] threshold of said section 8-44.

21 Sec. 2. Section 8-44 of the general statutes is repealed and the
22 following is substituted in lieu thereof (*Effective July 1, 2002*):

23 (a) An authority shall constitute a public body corporate and politic,
24 exercising public powers and having all the powers necessary or
25 convenient to carry out the purposes and provisions of this chapter,
26 including the following enumerated powers in addition to others
27 granted by any provision of the general statutes: [(a)] (1) To sue and be
28 sued; to have a seal and to alter the same at pleasure; to have perpetual
29 succession; to make and execute contracts and other instruments
30 necessary or convenient to the exercise of the powers of the authority;
31 and to make and from time to time amend and repeal bylaws, rules
32 and regulations not inconsistent with this chapter to carry into effect
33 the powers and purposes of the authority; [(b)] (2) within its area of
34 operation, to prepare, carry out, acquire, lease and operate housing
35 projects and to provide for the construction, reconstruction,
36 improvement, alteration or repair of any housing project or any part
37 thereof either directly or in the form of loans or other similar assistance
38 to developers, all such housing projects where families with children
39 are eligible for occupancy to contain reasonably adequate outdoor
40 playground areas; [(c)] (3) to arrange or contract for the furnishing by
41 any person or agency, public or private, of services, privileges, works
42 or facilities for, or in connection with, a housing project or the
43 occupants thereof; [(d)] (4) to demise any dwellings, houses,
44 accommodations, lands, buildings, structures or facilities embraced in
45 any housing project and, subject to the limitations contained in this
46 chapter, to establish and revise the rents or charges therefor; to own,
47 hold and improve real or personal property; to purchase, lease, obtain
48 options upon or acquire, by gift, grant, bequest, devise or otherwise,
49 any real or personal property or any interest therein, provided no real

50 property or interest therein shall be acquired for the site of a proposed
51 housing project until the housing authority has held a public hearing
52 concerning such site, notice of which has been published in the form of
53 a legal advertisement in a newspaper having a substantial circulation
54 in the municipality at least twice at intervals of not less than two days,
55 the first not more than fifteen nor less than ten days, and the last not
56 less than two days, before such hearing; to insure or provide for the
57 insurance of any real or personal property or operations of the
58 authority against any risks or hazards; to procure insurance or
59 guarantees from the federal government of the payment of any debts
60 or parts thereof, whether or not incurred by such authority, secured by
61 mortgages on any property included in any of its housing projects;
62 [(e)] (5) to invest any funds held in reserves or sinking funds, or any
63 funds not required for immediate disbursements, in investments legal
64 for mutual savings banks, provided that the provisions of subdivision
65 (2) of subsection (n) of section 36-96 shall not be applicable to any such
66 investment, and to purchase its bonds at a price not more than the
67 principal amount thereof and accrued interest, all bonds so purchased
68 to be cancelled; [(f)] (6) within its area of operation, to investigate
69 living, dwelling and housing conditions and the means and methods
70 of improving such conditions; to determine where slum areas exist or
71 where there is a shortage of decent, safe and sanitary dwelling
72 accommodations for families of low and moderate income; to make
73 studies and recommendations relating to the problem of clearing,
74 replanning and reconstructing slum areas, and the problem of
75 providing dwelling accommodations for families of low and moderate
76 income, and to cooperate with the municipality or the state or any
77 political subdivision thereof in action taken in connection with such
78 problems; [(g)] (7) to promote the creation and preservation of housing
79 for low and moderate income persons and families, either directly or
80 through an agency or instrumentality designated or appointed by the
81 authority, by lending or otherwise making available to developers the
82 proceeds from the sale of obligations which are tax-exempt pursuant to
83 the provisions of the Internal Revenue Code of 1986, or any

84 subsequent corresponding internal revenue code of the United States,
 85 as from time to time amended, or Section 11(b) of the United States
 86 Housing Act of 1937, as amended, or any successor provisions
 87 amendatory or supplementary thereto, provided no such obligations
 88 or other notes or securities issued by any agency or instrumentality
 89 designated or approved by the authority pursuant to the provisions of
 90 this subdivision, shall create or imply any indebtedness of any kind on
 91 the part of the housing authority, the state, or any political subdivision
 92 thereof; and [(h)] (8) to exercise all or any part or combination of
 93 powers herein granted. No provision of law with respect to the
 94 operation or disposition of property by other public bodies shall be
 95 applicable to an authority unless the General Assembly specifically so
 96 states.

97 (b) As used in this subsection, "housing project construction work"
 98 means the construction, reconstruction, improvement, alteration or
 99 repair of a housing project or any part of a housing project; and
 100 "simplified acquisition threshold" has the same meaning as "simplified
 101 acquisition threshold", as defined in 41 USC 403(11). All contracts to be
 102 made or let by an authority for housing project construction work,
 103 supplies, or [for] purchases of personal property of every description,
 104 shall be publicly advertised, for the purpose of receiving bids upon the
 105 same, in a local daily paper and, if deemed advisable, in other papers,
 106 provided the several parts of such housing project construction work,
 107 supplies or personal property shall, together, involve [the] an
 108 expenditure [of more than twenty-five thousand dollars] that exceeds
 109 the simplified acquisition threshold. The bids received in response to
 110 such public advertisement shall be publicly opened at a hearing of the
 111 authority, the date and time of such hearing being named in such
 112 public advertisement, and the contract or award shall be made by the
 113 authority with or to the lowest responsible bidder. [Such bidding may
 114 be waived by vote of the authority when the public interest so
 115 requires, provided the reasons for such waiver shall be set forth and
 116 made public and provided the total cost of such work, supplies or
 117 personal property shall not exceed thirty thousand dollars.] Such

118 bidding shall not be required for housing project construction work,
119 supplies or personal property previously bid and contracted for by the
120 Department of Administrative Services, the federal General Services
121 Administration, the United States Department of Housing and Urban
122 Development, or a municipality. An expenditure for housing project
123 construction work, supplies or personal property which is less than or
124 equal to the simplified acquisition threshold and any expenditure for
125 legal or other professional services shall be made in accordance with
126 the competitive proposals requirements of 24 CFR 85.36. In any
127 contract let in connection with a housing project, an authority,
128 notwithstanding any provision to the contrary in this chapter or in any
129 other statute, may include stipulations requiring that the contractor
130 and any subcontractors comply with requirements as to minimum
131 wages, maximum hours and any conditions which the federal
132 government or any other obligee may have imposed as prerequisite to
133 the granting of financial aid to the housing project.

This act shall take effect as follows:	
Section 1	<i>July 1, 2002</i>
Sec. 2	<i>July 1, 2002</i>

HSG *Joint Favorable C/R*

PD

PD *Joint Favorable*